

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL CASE NO. 1:09cv170

VALDESE WEAVERS, INC.,)	
)	
Plaintiff,)	
)	
vs.)	<u>SHOW CAUSE ORDER</u>
)	<u>AND NOTICE</u>
HIGHLAND FABRICS, INC. and)	
STUART COSGRIFF,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court *sua sponte*.

On December 2, 2009, the Court stayed this matter pending the resolution of a parallel lawsuit pending in the New York Supreme Court and removed to the Southern District of New York ("the New York action"). The parties were ordered to provide joint status reports on a quarterly basis until such time as the New York action was resolved. [Doc. 20]. The parties submitted status reports in April 2010, July 2010, and March 2011. [Docs. 21, 22, 23]. On August 4, 2011, the Court ordered the parties to submit a status report as required by the prior Order. [Doc. 24]. When no status report was forthcoming, the Court entered an Order directing the parties to show cause why this case should not be dismissed for failure to comply with the Court's

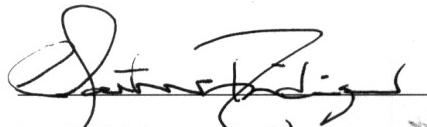
directive. [Doc. 25]. The parties complied by filing a status report on August 16, 2011, advising that a motion for summary judgment was then pending in the New York action. [Doc. 26]. To date, no further status reports have been filed.

This matter has been pending for nearly three years, which is an unusually long time for any action to be pending in this Court. For most of that time, the case has been stayed pending resolution of the parties' New York litigation. The parties, however, have evidenced an unwillingness to comply with the Court's directives and keep the Court apprised of those proceedings.

Accordingly, **IT IS, THEREFORE, ORDERED** that the parties shall appear at the United States Courthouse in Asheville, North Carolina, on **February 10, 2012 at 2:00 p.m.** for a status hearing and to **SHOW CAUSE** why this case should not be dismissed for the parties' failure to comply with the Court's Order.

IT IS SO ORDERED.

Signed: January 17, 2012



Martin Reidinger
United States District Judge

